

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**FIDELITY AND DEPOSIT COMPANY  
OF MARYLAND,**

**PLAINTIFF**

**VS.**

**No. 4:05CV21-P-B**

**SARAH WILLIAMS**

**DEFENDANT**

**ORDER**

Upon consideration of the file and record of this action, the Court finds that the Report and Recommendations of the United States Magistrate Judge dated August 3, 2005, was on that date duly served electronically and by regular mail upon counsel of record for plaintiff; that more than ten days have elapsed since service of said Report and Recommendations; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendations should be approved and adopted as the opinion of the Court.

It is, therefore **ORDERED**:

1. That the Report and Recommendations of the United States Magistrate Judge dated August 3, 2005, is approved and adopted as the opinion of the Court.
2. That plaintiff's motion for entry of a default judgment is hereby **DENIED**, and the Clerk shall forthwith set aside the entry of default against the defendant.
3. That plaintiff shall have sixty (60) days from this date to perfect service on defendant or, in the absence of a showing of good cause for the failure, this action will be dismissed without prejudice pursuant to FED.R.CIV.P. 4(m).

**THIS**, the 11th day of October, 2005.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE